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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic. No. : 10/080,719
Applicant : Guillaume RIBADEAU-DUMAS
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Docket No. : 2-1032-189

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May 7 2004
Richard M. Potts

AMENDMENT

Sir:

Please find enclosed the Applicant's remarks in response to the Election/Restriction Requirement of April 13, 2004.

In the Office Action dated April 13, 2004, the Examiner has required restriction between the inventions designated:

- I. Claims 1-5 drawn to a process for coating sweets;
- II. Claims 6-9 drawn to a coated sweet; and
- III. Claims 10-12 drawn to a coating syrup.

The requirement for restriction is respectfully traversed.

Even though the claimed sweets of claims 7-9 may be made by a process different from that claimed, the claimed process is particularly suited for the manufacture of the claimed sweets. More importantly, since said process is a process for coating sweets allowing the creation of a hard and translucent coating, and comprising the application of a certain coating syrup, if Applicant elects the process for a complete search, then the Examiner will necessarily have to search the components of the eventual coating as well, since it is

intimately related to the process claimed.

As to the sweet of claim 6, it is specifically mentioned that it is made according to the process as claimed, thus linking said claim directly to the process as claimed. A search carried out in relation to the process will inevitably also cover the prior art relevant for claim 6.

As to the coating syrup of claims 10-12, while it may be used in a coating process other than a process for coating boiled sweets, it is nevertheless a critical feature of the process of Group I. Again, and even more so than for the coated sweet, if Applicant elects the process for a complete search, then the Examiner will necessarily have to search the coating syrup used in the process as well, since it is part of said process.

For the foregoing reasons, withdrawal of the restriction requirement is respectfully requested.

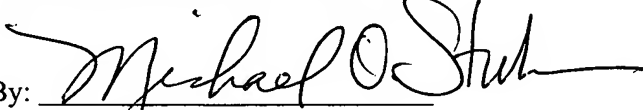
In any case, Applicant strongly believes that Group I, claim 6 and Group III do not require different searches and should be considered as one invention.

Finally, to complete the response, Applicant provisionally elects invention I, i.e. the process claims.

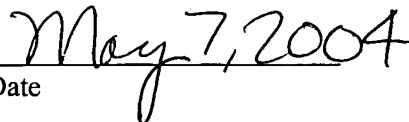
Favorable consideration and prompt allowance of these claims are respectfully requested.

Respectfully submitted,

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By: 

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